

Brian H. Denker-Youngs
25 Boerum Street Apt 18E
Brooklyn, NY 11206
Tel. 917.373.5019

Hearing Date: November 19, 2015 at 11:00am
Objection Date: October 15, 2015

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

-----X
In re:

BRIAN H. DENKER
Debtor

Chapter 11
Case Number 15-41069

-----X
Brian H. Denker-Youngs,
Plaintiff

v.
Deborah Kall Schall, Esq.
Defendant

AFFIDAVIT
in opposition

STATE OF NEW YORK)
COUNTY OF KINGS)

RECEIVED
2015 OCT 15 P 2:47
CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF
NEW YORK

I, Brian H. Denker-Youngs, debtor in the above captioned action, appearing this 14th day of October 2015, herein states under penalty of perjury that I have personal knowledge of the information set forth below and believe them to be true and to those upon information and belief, herein objects to the motion filed by Deborah Kall Schaal, Esq's and further moves this court to dismiss said motion before this court seeking such reliefs to Lift of the Automatic Stay pursuant to 11 USC § 362 and exercise such rights on behalf of Daimler Chrysler.

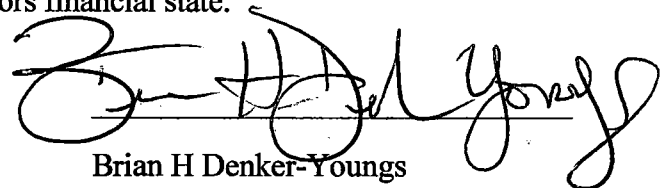
1. On January 7, 2014, Brian H. Denker-Youngs and Edward John Denker-Youngs the "parties" herein, leased a 2014 Mercedes Benz GLK from Mercedes of Huntington, in Huntington, NY.

2. Parties are engaged in two separate matrimonial actions. One in Suffolk County New York commenced by Edward J Denker-Youngs pursuant to irrevocable breakdown and the second in Kings County New York commenced by the debtor seeking annulment on the grounds of economic and financial frauds, and larcenies committed by debtor's estranged spouse. Both actions at present have automatic orders in place and court orders reflecting the same (see attached *exhibit A*).
3. The parties are not residing with one another at the present time, and are not legally separated or a final divorce decree issued as debtor's spouse has yet to turn over and submit to Discovery Demands to which it is alleged Edward J Denker-Youngs has syphoned off thousands in equity from marital assets, converted over \$217,000 of marital income with his mother Matje G Youngs and stashing monies away into several 403(b) retirement trusts without the debtor's knowledge and/or consent.
4. Debtor is currently in possession of the Mercedes vehicle as Edward J Denker-Youngs is in possession of the couples Volkswagen EOS.
5. A copy of registration and insurance on the Mercedes vehicle is attached hereto as *exhibit B*.
6. In general your deponent has not been receiving any bills and/or invoices and online access to make payments has been disabled. None the less, debtor has been making payments regularly and is currently approximately a little less than a month's payment behind due to significant loss of business and employment opportunities as a result of being unlawfully displaced from his home and place of employment/businesses and currently being litigated. Attached is *exhibit C*, proof of said payments. On months as displayed in debtor has made payments greater than what is due each month.

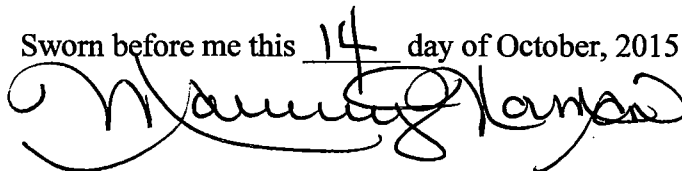
7. The term of the lease is 35 payments for a total of \$24,387.83 with a payment of \$559.32 per month. Parties placed \$4,216.63 down at signing. There are approximately 15 of the 35 payments remaining (approx. \$8,389.80) remaining on the vehicle lease.
8. Debtor has undergone five major operations since January 2013, two which were spinal cord operations and requires vehicle transportation given his work requirements and the many physicians and health facilities he receives treatment from having such access to a vehicle is an absolute necessity beyond what public transportation offers.
9. Monthly payments on the lease have been factored into debtor's revised and updated schedules that were submitted in error and oversight by counsel to the debtor but have been updated.
10. Your deponent intends to file a Statement of Intention should the conversion of Chapter 7 remain. Attached hereto as exhibit D to which Morrison should have filed on your deponent's behalf.

WHEREFORE, debtor Brian H. Denker-Youngs respectfully request in light of the the aforementioned, that this honorable court dismiss Ms. Schaal's motion without prejudice pending the final outcome and determination of debtors financial state.

Date: October 14, 2015


Brian H Denker-Youngs

Sworn before me this 14 day of October, 2015



MARY NORMAN
Notary Public, State of New York
No. 01NO4760597
Qualified in Suffolk County
Certificate Filed in Suffolk County
Commission Expires June 30, 2018

NOTICE OF ENTRY OF AUTOMATIC ORDERS (D.R.L. 236) Rev. 1/13
FAILURE TO COMPLY WITH THESE ORDERS MAY BE DEEMED
A CONTEMPT OF COURT

PURSUANT TO the Uniform Rules of the Trial Courts, and DOMESTIC RELATIONS LAW § 236, Part B, Section 2, both you and your spouse (the parties) are bound by the following **AUTOMATIC ORDERS**, which have been entered against you and your spouse in your divorce action pursuant to 22 NYCRR §202.16(a), and which shall remain in full force and effect during the pendency of the action unless terminated, modified or amended by further order of the court or upon written agreement between the parties:

(1) ORDERED: Neither party shall transfer, encumber, assign, remove, withdraw or in any way dispose of, without the consent of the other party in writing, or by order of the court, any property (including, but not limited to, real estate, personal property, cash accounts, stocks, mutual funds, bank accounts, cars and boats) individually or jointly held by the parties, except in the usual course of business, for customary and usual household expenses or for reasonable attorney's fees in connection with this action.

(2) ORDERED: Neither party shall transfer, encumber, assign, remove, withdraw or in any way dispose of any tax deferred funds, stocks or other assets held in any individual retirement accounts, 401K accounts, profit sharing plans, Keogh accounts, or any other pension or retirement account, and the parties shall further refrain from applying for or requesting the payment of retirement benefits or annuity payments of any kind, without the consent of the other party in writing, or upon further order of the court ; except that any party who is already in pay status may continue to receive such payments thereunder.

(3) ORDERED: Neither party shall incur unreasonable debts hereafter, including, but not limited to further borrowing against any credit line secured by the family residence, further encumbrancing any assets, or unreasonably using credit cards or cash advances against credit cards, except in the usual course of business or for customary or usual household expenses, or for reasonable attorney's fees in connection with this action.

(4) ORDERED: Neither party shall cause the other party or the children of the marriage to be removed from any existing medical, hospital and dental insurance coverage, and each, and each party shall maintain the existing medical, hospital and dental insurance coverage in full force and effect.

(5) ORDERED: Neither party shall change the beneficiaries of any existing life insurance policies and each party shall maintain the existing life insurance, automobile insurance, homeowners and renters insurance policies in full force and effect.

IMPORTANT NOTE: After service of the Summons with Notice or Summons and Complaint for divorce, if you or your spouse wishes to modify or dissolve the automatic orders, you must ask the court for approval to do so, or enter into a written modification agreement with your spouse duly signed and acknowledged before a notary public.

ALL COURT OF THE STATE OF NEW YORK
 COUNTY OF KINGS

IL DENKER-YOUNGS

Plaintiff Pro Se

-against-

ARD JOHN DENKER-YOUNGS, aka
 ARD J DENKER-YOUNGS, aka E J YOUNGS,

Defendant

New York, held in
 County of Kings at the Courtroom
 360 Adams Street, Brooklyn, NY
 on the 25th day of September
 Docket No: 54013/15

ORDER TO SHOW CAUSE

KINGS COUNTY
 SUPREME COURT
 MATRIMONIAL
 APPROVED
 DATE SEP 24 2015

KINGS COUNTY CLERK
 FEE PD \$45.00
 For John Denker-Youngs

Upon the review of Plaintiff's Order to Show cause, the verified affidavit in support of
 the Plaintiff *pro se*, BRIAN H. DENKER-YOUNGS and supporting exhibits attached thereto,
 appearing before this court in the County of Kings, on this 25th day of SEPTEMBER, 2015, finding
 sufficient cause thereof, it is so ORDERED:

The Defendant EDWARD J. DENKER-YOUNGS show cause before this Court at 360 ADAMS

STREET, BROOKLYN New York, on the 5th day of November, 2015 at

9:30 o'clock in the ☒ morning ☐ afternoon of that day, or as soon thereafter as the parties

can be heard, why an order should not be made:

1. Appointing counsel for the Plaintiff pursuant to Judiciary law § 35(8)
2. Issuing an Order of Consolidation, consolidating Suffolk County Supreme Court Index No. 169698/2014 into the within action establishing Kings County as the just and property venue for trial by jury in determining final judgement for dissolving the Denker-Youngs marriage and granting Plaintiff ancillary relief of an annulment.
3. Finding Maria Aliberitis, Esq and the firm of Simonetti & Associates in contempt of court and disqualifying the firm from representing the Defendant in the within action given their

No Interim

willful misrepresentation, misconduct and contributing behavior to concealing alleged acts of fraud in further extending litigations, driving up legal expenses and victimizing the Plaintiff.

Issuing an Order of Commitment and Arrest of the Defendant, Edward John Denker-Youngs to face charges and such allegation of unlawful acts to which Defendant be deemed answerable to a jury of his peers in a court of law within Kings County New York for such acts against the victim Brian Denker-Youngs and this honorable court.

5. Freezing all accounts and assets placing judicial liens until such time as an appropriate accounting and judgement is rendered hereon in on all accounts and assets thereof Edward J Denker-Youngs aka Edward Youngs, et al. and Matje G Youngs also known as the Matje G Youngs trust.
6. Directing that any and all barriers to entry be undone and with immediate effect your deponent be provided access to enter the marital home, all service providers and utilities as and such assets to which he may commence and restart services to the community in the capacity as a Rabbi to which was based and operated out of the marital home in Huntington, NY as well as his business services of www.longislandchuppah.com.
7. Compelling the Defendant to deliver upon this court no later than ten (10) days from the date of this order for on an assigned/approved forensic accounting all certified true and accurate statements and images for all required and requested financial accounts and institutions subject to discovery.
8. Any and all other relief that this honorable court deems just and proper.

Nginder
Nginder

~~and it is further~~ ^{this Order and the papers upon which it} **ORDERED** a copy of the orders herein to be delivered upon Simonetti & Assoc
^{personally}

located at 144 Woodbury Road, Woodbury NY, counsel for the Defendant on or b

30th day of September 2015 by Personal delivery be deemed suffi

service.
and it is further Ordered that all applicable automatic
stays, pursuant to the Uniform Civil Rules for the Supreme Court 202.16-c(c)
shall remain in effect.

Dated: September 23, 2015.

ENTER

SUPREME COURT JUSTICE
HON. CARLOS LANDICINO

Keep this document to show to the police and courts.

MV-630TR (2/10)

NEW YORK STATE REGISTRATION DOCUMENT



G PAS
 GME1945
 2014 ME/BE NONTRANSFERABLE
 SUBN BK WDCGG8JB6EG258282
 003640 G 6 GD960048 JAN 07 2014
 Wt/Seats Fuel/Cyl SMW BLSAC3
 DENKERYOUNGS, BRIAN, H Expires 01/06/16
 DENKER-YOUNGS, E, J *NYMA*
 33 PENNINGTON DR 29.50
 HUNTINGTON NY 11743

 ANNUAL CHG
 AMT PAID (INCL. ADD CHG)

GD960048 VOID IF ALTERED EXCEPT FOR ADDRESS

209.00



FS-20

GEICO
 geico.com

 Policy Number
 0791-77-95-07

 Effective Date
 08/01/2015 (12:01 A.M.)

 Phone Number: 1-800-841-3000
 NEW YORK STATE INSURANCE IDENTIFICATION CARD

 Expiration Date
 02/01/2016 (12:01 A.M.)

 An authorized NEW YORK insurer has issued an Owner's Policy of
 Liability Insurance complying with Article 6 (Motor Vehicle Financial
 Security Act) of the NEW YORK Vehicle and Traffic Law to:

 DENKER-YOUNGS, B, H
 DENKER-YOUNGS, B, H
 33 PENNINGTON DR
 HUNTINGTON NY 11743

Name & Address of issuer:

 GOVERNMENT EMPLOYEES INSURANCE COMPANY
 One GEICO Plaza,
 Washington DC 20076-0001

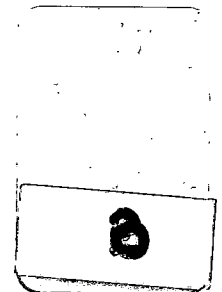
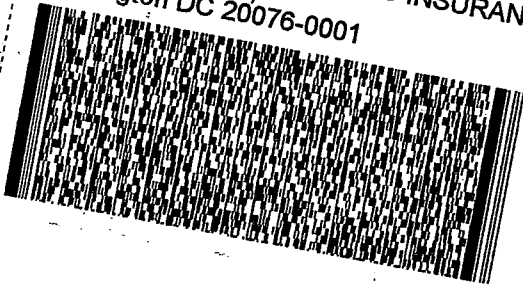
 (Not acceptable to obtain registration
 after 45 days from effective date.)
 Applicable with respect to the following Motor Vehicle:

 2014 ME/BE
 Year Make

 GLK350
 Model

 WDCGG8JB6EG258282
 Vehicle Identification Number

Company Code: 148



**Bank**

America's Most Convenient Bank®

T

STATEMENT OF ACCOUNT

BRIAN H DENKER YOUNGS
DIP CASE 15-41069 EDNY
25 BOERUM ST APT 18E
BROOKLYN NY 11206

Page: 1 of 3
Statement Period: Apr 18 2015-May 17 2015
Cust Ref #: [REDACTED]-###
Primary Account #: 42[REDACTED]17

Chapter 11 Checking

BRIAN H DENKER YOUNGS
DIP CASE [REDACTED] EDNY

Account # 43[REDACTED]17

ACCOUNT SUMMARY

| | | | |
|---------------------|--------------|--------------------------------|--------------|
| Beginning Balance | [REDACTED]00 | Average Collected Balance | [REDACTED]02 |
| Deposits | [REDACTED]00 | Annual Percentage Yield Earned | 0.00% |
| Electronic Deposits | [REDACTED]00 | Days in Period | 30 |
| Checks Paid | [REDACTED]02 | | |
| Electronic Payments | [REDACTED]41 | | |
| Other Withdrawals | [REDACTED]00 | | |
| Ending Balance | [REDACTED]97 | | |

DAILY ACCOUNT ACTIVITY**Deposits**

| POSTING DATE | DESCRIPTION | AMOUNT |
|--------------|-------------|--------------|
| 4/23 | DEPOSIT | [REDACTED]00 |
| Subtotal: | | [REDACTED]00 |

Electronic Deposits

| POSTING DATE | DESCRIPTION | AMOUNT |
|--------------|--|--------------|
| 4/30 | ACH DEPOSIT, FROST & SULLIVAN PAYROLL CTR****21744 | [REDACTED]00 |
| 5/15 | ACH DEPOSIT, FROST & SULLIVAN PAYROLL CTR****11286 | [REDACTED]00 |
| Subtotal: | | [REDACTED]00 |

Checks Paid No. Checks: 7

For online bill pay customers, checks numbered "99XXXX" likely represent payments to a Biller that were delivered as a paper check. Funds were withdrawn from your account when the check was cashed. You can view these cleared checks in the Account History section of Online Banking.

*Indicates break in serial sequence or check processed electronically and listed under Electronic Payments

| DATE | SERIAL NO. | AMOUNT | DATE | SERIAL NO. | AMOUNT |
|-----------|------------|--------|------|------------|----------|
| 5/14 | 101 | 60.49 | 5/5 | 107* | 225.00 |
| 5/6 | 102 | 132.60 | 4/27 | 634479* | 20.00 |
| 5/6 | 103 | 138.69 | 5/13 | 995001* | 975.00 |
| 5/6 | 104 | 57.24 | | | |
| Subtotal: | | | | | 1,609.02 |

Electronic Payments

| POSTING DATE | DESCRIPTION | AMOUNT |
|--------------|--|--------|
| 4/29 | ELECTRONIC CK PMT-ARC, NYC DOF PV CHECKPAYMT 0100 | 65.00 |
| 4/29 | ELECTRONIC CK PMT-ARC, NYC DOF PV CHECKPAYMT 0099 | 35.00 |
| 5/1 | ELECTRONIC CK PMT-ARC, MERCEDES CHECKPAYMT 0098 | 600.00 |
| 5/1 | ACH DEBIT, HARLAND CLARKE CHK ORDERS *YCB***503741L7 | 11.95 |
| 5/11 | TD ATM DEBIT, *****45111942021, AUT 051115 DDA WITHDRAW 765 MANHATTAN AVENUE NEW YORK *NY | 140.00 |
| | ELECTRONIC PMT-WEB, GEICO ONLINE PMT CKF****24453POS | 76.00 |
| | ELECTRONIC PMT-WEB, CHASE CARD SERV ONLINE PMT CKF****24453POS | 110.98 |

Call 1-800-937-2000 for 24-hour Bank-by-Phone services or connect to www.tdbank.com

10/14/2015

Case 1-15-41069-cec Doc 68 Filed 10/15/15 Entered 10/15/15 16:06:14

TD Bank Bill Pay | Bill Detail

| Biller Name | Account | Amount | Pay Date | Confirmation | Status |
|--|-------------------------------|----------|------------|--------------|--------|
| Mercedes-Benz Financial Services *08735 | CHAPTER 11 CHECKING *48847 | \$600.00 | 06/15/2015 | JBS9Y-BLZVT | Paid |

The funds for your payment to Mercedes-Benz Financial Services were withdrawn from your CHAPTER 11 CHECKING *48847 account on 06/15/2015. Mercedes-Benz Financial Services received your payment electronically on 06/15/2015.

If you have a question about your bill or about crediting the payment to your biller account, please contact Mercedes-Benz Financial Services directly.

10/14/2015

TD Bank Bill Pay | Bill Detail

| Biller Name | Account | Amount | Pay Date | Confirmation | Status |
|--|-------------------------------|----------|------------|-----------------|-----------------|
| Mercedes-Benz Financial Services *08735 | CHAPTER 11 CHECKING *48847 | \$450.00 | 08/18/2015 | JKBNK- SHDB7 | Paid |

The funds for your payment to Mercedes-Benz Financial Services were withdrawn from your CHAPTER 11 CHECKING *48847 account on 08/18/2015. Mercedes-Benz Financial Services received your payment electronically on 08/18/2015.

If you have a question about your bill or about crediting the payment to your biller account, please contact Mercedes-Benz Financial Services directly.

10/14/2015

TD Bank Bill Pay | Bill Detail

| Biller Name | Account | Amount | Pay Date | Confirmation | Status |
|--|-------------------------------|----------|------------|--------------|---------|
| Mercedes-Benz Financial Services *08735 | CHAPTER 11 CHECKING *48847 | \$559:00 | 10/15/2015 | JRG3Y-FHQRH | Pending |

This bill payment is pending. The payment will be processed in time for the biller to receive it by the pay date.

B 8 (Official Form 8) (12/08)

UNITED STATES BANKRUPTCY COURT

Eastern District of New York

In re Brian Denker-Youngs,
DebtorCase No. 15-41069
Chapter 7

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

PART A – Debts secured by property of the estate. *(Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)*

| | |
|--|---|
| Property No. 1 | |
| Creditor's Name: JP MORGAN - CHASE HOME MORTGAGES | Describe Property Securing Debt: 3 bedroom 1.5bath home |
| Property will be <i>(check one)</i> : <input type="checkbox"/> Surrendered <input checked="" type="checkbox"/> Retained | |
| If retaining the property, I intend to <i>(check at least one)</i> : <input type="checkbox"/> Redeem the property <input checked="" type="checkbox"/> Reaffirm the debt <input type="checkbox"/> Other. Explain _____ (for example, avoid lien using 11 U.S.C. § 522(f)). | |
| Property is <i>(check one)</i> : <input checked="" type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt | |

| | |
|---|---|
| Property No. 2 <i>(if necessary)</i> | |
| Creditor's Name: Bethpage Federal Credit Union | Describe Property Securing Debt: Home Equity Line of Credit (account takeover indisputable) |
| Property will be <i>(check one)</i> : <input type="checkbox"/> Surrendered <input type="checkbox"/> Retained | |
| If retaining the property, I intend to <i>(check at least one)</i> : <input type="checkbox"/> Redeem the property <input type="checkbox"/> Reaffirm the debt <input checked="" type="checkbox"/> Other. Explain <u>TBD requires auditing of debt. In dispute</u> (for example, avoid lien using 11 U.S.C. § 522(f)). | |
| Property is <i>(check one)</i> : <input type="checkbox"/> Claimed as exempt <input type="checkbox"/> Not claimed as exempt | |

C

PART B – Personal property subject to unexpired leases. *(All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)*

| | | |
|--|---|---|
| Property No. 1 | | |
| Lessor's Name: Brian H Denker-Youngs | Describe Leased Property: 2014 Mercedes GLK 350 | Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |

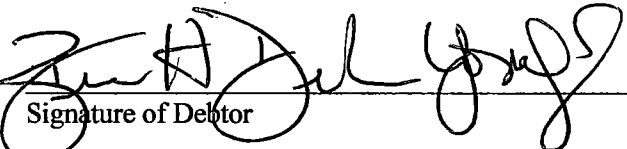
| | | |
|--------------------------------------|----------------------------------|--|
| Property No. 2 <i>(if necessary)</i> | | |
| Lessor's Name: | Describe Leased Property: | Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): <input type="checkbox"/> YES <input type="checkbox"/> NO |

| | | |
|--------------------------------------|----------------------------------|--|
| Property No. 3 <i>(if necessary)</i> | | |
| Lessor's Name: | Describe Leased Property: | Lease will be Assumed pursuant to 11 U.S.C. § 365(p)(2): <input type="checkbox"/> YES <input type="checkbox"/> NO |

_____ continuation sheets attached *(if any)*

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

Date: 10/14/15


Signature of Debtor

N/A - ESTRANGED TO SPOUSE

Signature of Joint Debtor

Brian H. Denker-Youngs
25 Boerum Street Apt 18E
Brooklyn, NY 11206
Tel. 917.373.5019

Hearing Date: November 19, 2015 at 11:00am
Objection Date: October 15, 2015

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re:

BRIAN H. DENKER
Debtor

Chapter 11
Case Number 15-41069

-----X
Brian H. Denker-Youngs,
Plaintiff

v.

Deborah Kall Schall, Esq.
Defendant

**ORDER DENYING MOTION OF DEBORAH KALL SCHAAL, ESQ. TO LIFT
AUTOMATIC STAY AND EXERCISE ANY AND ALL RIGHTS TO A 2014
MERCEDES BENZ GLK350W4.**

UPON the motion of Brian H. Denker-Youngs, (the "debtor"), filed on October 15, 2015, objecting to the Lift of the Automatic Stay pursuant to 11 USC § 362 as filed by Deborah Kall Schaal, Esq. of Gordon & Schaal, LLP, attorneys for Daimler Trust, and debtors' motion to dismiss such motion filed with this court, and having found sufficient cause appearing therefore;

Motion of Deborah Kall Schaal, Esq to lift the stay and exercise rights to debtors
2014 Mercedes Benz GLK350W4 is hereby dismissed without prejudice,

Entered:

Date

Honorable Chief Justice Carla E. Craig